

HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

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W.P.No.31380 of 1997

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Dated 13th day of March, 2007

Between:

M/s.Goldstone Engineering Ltd.,
Petitioner

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And

The District Collector,
Ranga Reddy
and two others
Respondents

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ORDER:

This writ petition is filed seeking a mandamus to declare the action of the respondents in demarcating and alienating the petitioner's land of an extent of Ac.242.15 guntas in S.No.80 situated in Hafeezpet village, as arbitrary and illegal, and consequently direct the respondents not to take any steps .

The brief facts of the case are that the petitioner-company is the absolute owner and possessor of agricultural land of an extent of Ac.242.15 guntas in S.No.80 situated in Hafeezpet village, Serilingampally Mandal, R.R. District out of a total extent of Ac.484.31 guntas. Except the petitioner, no other person has any right, title or interest over Ac.242.15 guntas of land. Now, the petitioner's grievance is that the respondents, without any authority of law, are trying to demarcate and alienate the land in question.

Heard the learned counsel for the petitioner.

In spite of the fact that notices were served on the respondents, they have not filed any counter-affidavit.

Today, when the matter is taken up for final hearing, the learned counsel for the petitioner has drawn my attention to Memo No.28908/JA1/2004-1, dated 5.11.2004 issued by the Government of Andhra Pradesh Revenue (J.A.1) Department which indicates that the Government has no interest or claim over the land in question. It may be apt to extract the relevant paragraphs of the Memo, which are as follows:

"The Special C.S & CCLA has therefore requested the Government that the Collector, Ranga Reddy District may be permitted to effect mutation in the land records in respect of the lands in Sy.No.145, 163 and 172 of Hydernagar and in

Sy.No.77, 78, 79 and 80 of Hafeezpet Village of Balanagar and Serlingampally Mandals, Ranga Reddy District covered under C.S.No.14/58, following various orders of the Courts.

Government, after examining the matter, hereby permit the Collector, Ranga Reddy District to effect the mutation in Land Records in respect of the lands in Sy.No.145, 163 and 172 of Hydernagar and in Sy.No.77, 78, 79 and 80 of Hafeezpet village of Balanagar and Serlingampally Mandal respectively of Ranga Reddy District as recommended by the Special Chief Secretary & Chief Commissioner of Land Administration, subject to following the provisions of Urban Land (C&R) 1976 A.P. Agricultural Ceiling Act, 1973 and AP.ROR Act, 1989 etc. and also following various orders of Courts.”

The learned Government Pleader for Revenue has also stated that the Government has no interest in the lands in question.

In the light of the Memo and as the facts are not controverted, this Court deems it appropriate to direct the respondents not to interfere in any manner whatsoever with the possession and enjoyment of the petitioner over the land in question.

Accordingly, the writ petition is allowed. No costs.

bcj

13.03.2007